PUBLIC HEARING
March 21, 1988

A joint public hearing was held by the Elkton Town Council and the Elkton Planning Commission March 21, 1988 at 7:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: B. B. Holt, H. W. Leap, H. A. Leet, L. C. Life and R. L. Snow. Norma Leap, Clerk, Gerald Monger, Town Superintendent and Warren Pence, Chief of Police were also present.

Mayor Dean asked if any citizen wanted to speak regarding the amendment of the Zoning Ordinance to completely eliminate Section 4, Paragraph 4, which now permits apartment houses on corner lots in A-1 Districts.

Mrs. Audrey Berry spoke in regards to the house which is being taken down beside her home at 211 Morgan Avenue for the purpose of possibly building apartments if they are granted a permit. She stated that when she first moved to town this house was one of the nicest in Elkton. After it became an apartment house it began to become run down. She does not feel the situation will improve if the owner is allowed to build four apartments. She feels this will lower the value of her property and she does not want apartments built beside her home.

Mrs. Barbara Dean stated she was opposed to apartments in single family residental areas. She wanted to know if this is just a temporary measure. She was told last summer that the designated size of the lots for the R-1 and R-2 areas in the new proposed Zoning Ordinances are larger and the lot sizes in the town as they are now would not even qualify for R-2, with the exception of possibly Elkwood. She is seeing this as only a temporary measure and wanted to know if once the new zoning goes into effect will the area being discussed be rezoned R-3 or R-4.

Mr. Monger stated this is temporary until the new Zoning Ordinances are passed. Councilman Holt pointed out that the maps have not been drawn determining which areas will be zoned R-1, R-2, etc. Mr. Monger stated that citizens will be given the opportunity to review the maps and ordinances and a Public Hearing will be held to allow them the opportunity to present their views on the proposed rezoning.

Mrs. Virginia Gooden stated she agrees with Mrs. Berry's statements. There are apartment houses being built everywhere without much planning. This is not very desirable. She feels more planning needs to be done and council should be very careful where apartments are allowed to be built.

Mayor Dean asked if any citizen wanted to speak regarding amending the Zoning Ordinance to add a new paragraph under Section 2. Definitions, defining Home Occupation Activity.

Councilman Holt stated that this amendment has been changed slightly since the original draft came out. One of the changes eliminates the advertising section in this particular paragraph as advertising is well covered in other parts of the Zoning Ordinance. Home Occupations would be permitted one small sign, the same as Bed and Breakfasts. The other change would require those having a business in their residence to have a business license.

Mayor Dean asked if any citizen wanted to speak regarding the request by Mr. Carl Schumacher to resubdivide Lots 9 and 10, Block 47, Section 3, into one lot. He pointed out that the comments by Mrs. Berry and Mrs. Gooden were in reference to this request.

Mr. Ishmal Baugher, Chairman of the Elkton Planning Commission, reported that he had received a letter from Mrs. Katherine N. Long of 303 Morgan Avenue. She would like to enter a protest against allowing apartments to be built on the corner lots at Morgan Avenue and D Street.

Councilwoman Life stated that maybe council is late on this rezoning, but what they are trying to do now is head off this type of thing and not have apartments in our A-1 Districts. She hopes that when the new zoning comes in and the maps are worked out, people will take enough interest to come to the Public Hearing and express their views at that time.

Mr. B. W. Gooden asked if council was aware that they would be changing zoning on the second lot. He also asked if Mr. Schumacher had applied for a building permit and if so, what for. Mr. Gooden was told that council was aware of the zoning and Mr. Schumacher had applied for a building permit for apartments but no permit has been issued.

Councilman Holt pointed out that the original approach from our attorney was that if you had a lot on a corner where you could build apartments and you combine it with another lot that is not on the corner and permit an apartment to be built on it, what it amounts to is defacto zoning. Since the last meeting our attorney has taken another hard look at this and he feels that as the house is built on both lots and when you look closely at the definition of what constitutes a lot, the use involved and how property is placed on the lot, he is now of the opinion that this situation does not constitute rezoning.

Mr. B. W. Gooden stated the house is only on one lot. The porch might extend over onto the other lot but the house does not.

Mayor Dean asked if any citizens wanted to speak regarding the request by Mr. Garland Davis to subdivide Tract 1 and Tract 1A as shown in Deed Book 272, Page 198, making another tract (Tract 1B) to contain approximately 7350 square feet.

Mr. Hubert Hansbrough of 105 Clover Lane asked what is going to be built on this land if it's divided. Mayor Dean stated he thinks the plans are to put a single family home on it. Mr. Hansbrough stated he would not be opposed to a single family home but he would be opposed to apartments.

Councilman Holt stated that council will not be in a position to act on Mr. Davis' request tonight as this is the sort of subdivision that requires the full procedure.

Mr. Davis questioned what the hold up is. Mr. Monger stated it is certain processes that Mr. Davis will have to go through and he was not sure how long it will take.

As there were no further comments, the Public Hearing adjourned.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

RECORDER: Norma R. Leap
Norma R. Leap, Clerk